## UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF TENNESSEE COLUMBIA DIVISION

LEVEL 3 COMMUNICATIONS, LLC,	)	
Plaintiff,	) ) )	Case No. 1:09-0082 Judge Trauger
v.	)	
MICHAEL R. FLOYD d/b/a FLOYD &	)	
FLOYD CONTRACTORS,	)	
Defendant.	)	

## <u>ORDER</u>

For the reasons expressed in the accompanying Memorandum, the defendants' Motion for Summary Judgment (Docket No. 27) is **DENIED**. Also, the plaintiff's Motion *in Limine* (Docket No. 33) is **DENIED**.

It is so ordered.

Enter this 7th day of February 2011.

ALETA A. TRAUGER United States District Judge